

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION**

MICHAEL G. POSTAWKO, *et al.*, )  
Plaintiffs, )  
v. ) No. 2:16-CV-04219 NKL  
MISSOURI DEPARTMENT OF )  
CORRECTIONS, *et al.*, )  
Defendants. )

**PLAINTIFFS' MOTION FOR LEAVE TO FILE UNDER SEAL CERTAIN EXHIBITS  
TO THEIR SUGGESTIONS IN SUPPORT OF MOTION FOR PRELIMINARY  
INJUNCTION**

Plaintiffs respectfully move for an order permitting them to file under seal certain exhibits to their Suggestions in Support of their Motion for Preliminary Injunction. In support, Plaintiffs state as follows:

1. Plaintiffs plan to file their Motion for Preliminary Injunction and Suggestions in Support of same, with supporting exhibits, on June 17, 2019.
2. Certain exhibits to Plaintiffs' Suggestions in Support of their Motion for Preliminary Injunction consist of or contain information protected from disclosure under the parties' Protective Order (ECF No. 168), including Plaintiffs' protected health information and email correspondence designated by MDOC as CONFIDENTIAL.
3. Under the parties' Protective Order, such documents or information "shall be redacted from any document before filing the document with the Court. Contemporaneously, an unredacted copy shall be filed with the Court under seal." ECF No. 168, ¶ 15.
4. Plaintiffs seek leave to file exhibits to their Suggestions under seal in light of these designations and without waiver of any objections to those designations. Plaintiffs will

contemporaneously file a public version with the necessary redactions in compliance with the terms of the Protective Order.

WHEREFORE Plaintiffs respectfully request leave to file certain exhibits to their Suggestions in Support of their Motion for Preliminary Injunction under seal with the Court.

Respectfully submitted,

/s/ Anthony E. Rothert

Anthony E. Rothert, #44827  
Jessie Steffan, #64861  
Omri E. Praiss, #41850  
American Civil Liberties Union  
of Missouri Foundation  
906 Olive Street, Suite 1130  
St. Louis, Missouri 63108  
Phone: (314) 652-3114  
Fax: (314) 652-3112  
trothert@aclu-mo.org  
jsteffan@aclu-mo.org

Gillian R. Wilcox, #61278  
American Civil Liberties Union  
of Missouri Foundation  
406 West 34th Street, Suite 420  
Kansas City, Missouri 64111  
Phone: (816) 470-9938  
Fax: (314) 652-3112  
gwilcox@alcu-mo.org

Amy E. Breihan, #65499  
Megan G. Crane, #71624  
RODERICK & SOLANGE  
MACARTHUR JUSTICE CENTER  
3115 South Grand Blvd., Suite 300  
St. Louis, MO 63118  
Phone: (314) 254-8540  
Fax: (314) 254-8547  
amy.breihan@macarthurjustice.org  
megan.crane@macarthurjustice.org

Elizabeth L. Henthorne (*pro hac vice*)  
Amelia I. P. Frenkel (*pro hac vice*)  
Anastasia M. Pastan (*pro hac vice*)  
Wilkinson Walsh + Eskovitz, LLP  
2001 M Street NW  
10th Floor  
Washington, DC 20036  
Phone: (202) 847-4000  
Fax: (202) 847-4005  
[bhenthorne@wilkinsonwalsh.com](mailto:bhenthorne@wilkinsonwalsh.com)  
[afrenkel@wilkinsonwalsh.com](mailto:afrenkel@wilkinsonwalsh.com)  
[apastan@wilkinsonwalsh.com](mailto:apastan@wilkinsonwalsh.com)

Meghan C. Cleary (*pro hac vice*)  
Wilkinson Walsh + Eskovitz, LLP  
11601 Wilshire Blvd., Suite 600  
Los Angeles, CA 90025  
Phone: (424) 291-9669  
Fax: (202) 847-4005  
[mcleary@wilkinsonwalsh.com](mailto:mcleary@wilkinsonwalsh.com)

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing was filed electronically and served by operation of the CM/ECF system on all counsel of record on June 17, 2019.

/s/ Anthony E. Rothert